

UTILITY PATENT APPLICATION TRANSMITTAL
(CONTINUATION CLAIMING BENEFIT OF PROVISIONAL APPLICATION)
(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.
60095-0050

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, Eric Sven-Johan Swildens, et al., entitled Improved Performance Computer Network Method for a(n):

() Original Patent Application.

(X) Continuing Application (prior application not abandoned):

- (X) Continuation () Divisional () Continuation-in-part (CIP)
of prior application No: 09/645,067 Filed on: 8/23/2000, which claims the
benefit of prior provisional application No: 60/166,906 Filed on: 11/22/1999.
() A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- (X) Specification: 33 Total Pages; (X) Drawing(s): 6 Total Sheets.
() Oath or Declaration:
() A Newly Executed Combined Declaration and Power of Attorney:
() Signed. (X) Unsigned. () Partially Signed.
(X) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
(X) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the
oath or declaration is supplied, is considered as being part of the disclosure of the accompanying
application and is hereby incorporated herein by reference in its entirety for all purposes.
() Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
() Revocation and Appointment of New Power of Attorney, which is copied from the prior application for
continuation/divisional is supplied.
(X) Return Receipt Postcard.
() Associate Power of Attorney. (X) A Check in the amount of \$ 385.00 for the Filing Fee.
() Preliminary Amendment. () Information Disclosure Statement and Form PTO-1449.
(X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
() A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
() A Certified Copy of Priority Documents (if foreign priority is claimed).
(X) Applicant(s) is entitled to small entity status. See 37 CFR 1.27.
() Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.
() Other: _____

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	1	0	\$9.00	\$ 0.00
Independent Claims	1	0	\$42.00	\$ 0.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$0.00
Basic Filing Fee				\$385.00
Total Filing Fee				\$385.00

Charge \$ _____ to Deposit Account 50-1302 pursuant to 37 CFR § 1.25. At any time during the
pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all
overpayments to above deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: _____

Kirk D. Wong, Reg. No. 43,284

Date: February 6, 2004

Correspondence Address:

29989

PATENT TRADEMARK OFFICE


I hereby certify that this is being deposited with the U.S. Postal
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FEE TRANSMITTAL for FY 2004				Complete if Known																																																																																																																																																																																	
<i>Patent fees are subject to annual revision, Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28</i>				Application Number		NYA																																																																																																																																																																															
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1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed. Deposit Account Number: 50-1302 Deposit Account Name: Hickman Palermo Truong & Becker, LLP				3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge – late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge – late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner 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Name (Print/Type)		Kirk D. Wong		Registration No. (Attorney/Agent)		43,284																																																																																																																																																																															
Signature				Telephone		(408) 414-1080																																																																																																																																																																															
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REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		Eric Sven-Johan Swildens, et al.
	Title	Improved Performance Computer Network Method	
	Atty. Docket Number		60095-0050

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 6, 2004

Date


Signature

Kirk D. Wong (Reg. No. 43,284)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**